

# Oversight Division

Committee On Legislative Research

## PROGRAM EVALUATION

Review of the  
Department of Public Safety  
Hazardous Materials Training

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Program Evaluation  
Review of the  
Department of Public Safety  
Hazardous Materials Training

*Prepared for the Committee on Legislative Research  
by the Oversight Division*

*Mickey Wilson, CPA, Director*

*Review Team: Jeani Hancock, MPA, Team Leader, Lauren Ordway, Kyle Bosh*

*December, 2013*

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Members of the General Assembly:

The Joint Committee on Legislative Research adopted a resolution on September 10, 2013 directing the Oversight Division to perform a program evaluation of the Department Public Safety Hazardous Materials Training to determine and evaluate program performance in accordance with program objectives, responsibilities, and duties as set forth by statute or regulation.

The report includes Oversight's comments on internal controls, compliance with legal requirements, management practices, program performance and related areas. We hope this information is helpful and can be used in a constructive manner for the betterment of the state program to which it relates. You may obtain a copy of the report on the Oversight Division's website at <http://www.moga.mo.gov/oversight/audits.html>.

Respectfully,

A handwritten signature in cursive script that reads "Brad Lager".

Senator Brad Lager  
Chairman

## **EXECUTIVE SUMMARY**

The Department of Public Safety, through its Division of Fire Safety and Missouri Emergency Response Commission, strive to provide emergency training as well as hazardous materials training to those emergency personnel most in need of training. Funding for hazardous materials training in Missouri is provided through the Chemical Emergency Preparedness Fund and the Hazardous Materials Emergency Preparedness grant.

The Division of Fire Safety offers a certification program to fire fighters and first responders. The Division of Fire Safety contracts with vendors to provide its training which is based on the national standards created by the National Fire Protection Association.

The Missouri Emergency Response Commission offers a continuing education program to bring awareness of hazardous materials situations to all emergency personnel, as well as community leaders and the public. The Missouri Emergency Response Commission purchases training curriculum and training materials and distributes them to state approved trainers. The Missouri Emergency Response Commission follows the requirements of the Emergency Planning and Community Right-to-Know Act and the Hazardous Materials Emergency Preparedness grant which require all continuing education credits to meet or exceed the National Fire Protection Association standards.

# **Chapter 1**

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## **Purpose**

The General Assembly has provided by law that the Joint Committee on Legislative Research may have access to and obtain information concerning the needs, organization, functioning, efficiency and financial status of any department of state government or of any institution that is supported in whole or in part by revenues of the State of Missouri. The General Assembly has further provided by law for the organization of an Oversight Division of the Joint Committee on Legislative Research and, upon adoption of a resolution by the General Assembly or by the Joint Committee on Legislative Research, for the Oversight Division to make investigations into legislative governmental institutions of this state to aid the General Assembly.

The Joint Committee on Legislative Research directed the Oversight Division to perform an evaluation of the Department of Public Safety's hazardous materials training programs.

Oversight's review addressed, but was not limited to the following:

1. Determining how the Division of Fire Safety and the Missouri Emergency Response Commission choose their hazardous materials trainers and training material.
2. Determining what training material standards are used in the hazardous materials training programs.
3. Determining how the Hazardous Materials Emergency Preparedness Grant is administered in Missouri.

## **Scope**

The scope of this program evaluation concentrated on the period of July 1, 2008 through June 30, 2013, State Fiscal Years 2009 through 2013.

## **Methodology**

The methodology used by the Oversight Division included interviewing Division of Fire Safety and Missouri Emergency Response Commission staff, reviewing the State of Missouri statutes, rules and regulations, organizational charts, annual reports, financial statements, and analyzing budget and actual expenditure information.

## **Objective**

In 2010, this program evaluation was proposed to Oversight. Oversight was asked to review the Department of Public Safety's emergency training programs with an emphasis on their hazardous materials training, the Chemical Emergency Preparedness Fund and the Hazardous Materials Emergency Preparedness Grant. The Department of Public Safety is charged with providing emergency personnel the training they need for all types of emergency situations. The Department of Public Safety, through its Division of Fire Safety and Missouri Emergency Response Commission, strive to provide emergency training as well as hazardous materials training to those emergency personnel most in need of training. Due to the time constraints of this project, Oversight concentrated its review to the hazardous materials training funded by the Chemical Emergency Preparedness Fund and the Hazardous Materials Emergency Preparedness grant.

## **Background**

The Emergency Planning and Community Right to Know Act (EPCRA) was created in 1986 due to concerns with emergency response preparedness. EPCRA was designed to improve community access to information about chemical hazards and to facilitate the development of chemical emergency response plans by state and local governments. Administration of the EPCRA is done by the Environmental Protection Agency and its state partners. The Missouri Emergency Response Commission (MERC), in Section 292.602 RSMO, is the state partner for EPCRA. The EPCRA requires facilities that manufacture and handle hazardous materials to report those materials to their Local Emergency Planning Committees (LEPC) for coordination of emergency response activities.

MERC is created, according to their website, "to protect public health and the environment by assisting communities with chemical incident prevention, preparedness, response and recovery". MERC, along with the Department of Public Safety's Division of Fire Safety in 11 CSR 40-1.010, is charged with administration of the EPCRA and providing training for local emergency responders. MERC's duties for implementing the EPCRA provisions include:

- Establishing procedures for receiving and processing public requests for information collected under EPCRA;
- Reviewing local emergency response plans;
- Designating local emergency planning districts;
- Appointing LEPC for each district; and,
- Supervising the activities of the LEPC.

Per the EPCRA website, LEPCs are responsible for developing an emergency response plan, reviewing it at least annually, and providing information about chemicals in the community to its citizens. Plans are developed by LEPC with stakeholder participation. Each county in Missouri has an LEPC; however, several counties have joined together to become a Local Emergency Planning District. LEPC membership must include (at a minimum):

- Elected state and local officials;
- Police, fire, civil defense, and public health professionals;
- Environment, transportation, and hospital officials;
- Facility representatives; and,
- Representatives from community groups and the media.

EPCRA's purpose is not to place limits on which chemicals can be stored or transported. Its purpose is to only require a facility to document, notify and report which hazardous materials they have on site. Facilities covered by EPCRA requirements must submit an Emergency and Hazardous Chemical Inventory Form to their LEPC, MERC, and the local fire department annually. Facilities provide a Tier II form which reports on the storage, use and releases of hazardous chemicals to federal, state, and local governments. Missouri requires the Tier II form to be filed with MERC and the LEPC. Submission of the TIER II form requires a fee that is collected in Missouri and deposited into the State Treasury's Chemical Emergency Preparedness Fund (CEPF) per Section 292.607, RSMO. Penalties for failure to comply with the EPCRA reporting requirements are also deposited into the CEPF.

Money collected into the CEPF is distributed as 65% to LEPCs for hazardous materials training, 10% to the Division of Fire Safety for hazardous materials training and 25% for the administration of MERC per Section 292.604.2, RSMO.

**Table 1 - CEPF Revenues/Expenditures**

Fiscal Year	Revenues	LEPC Budget 65%	LEPC Payments	MERC Budget 25%	MERC Expenses	FireFighter Budget 10%	FireFighter Expenses
2009	\$820,292	\$533,190	\$515,595	\$205,073	\$200,048	\$82,029	\$78,523
2010	\$780,384	\$507,249	\$522,294	\$195,096	\$207,549	\$78,038	\$48,185
2011	\$802,995	\$521,947	\$421,883	\$200,749	\$203,847	\$80,299	\$77,640
2012	\$778,975	\$506,334	\$537,789	\$194,744	\$177,451	\$77,898	\$78,436
2013	\$860,225	\$559,146	\$438,664	\$215,056	\$224,662	\$86,022	\$76,327
<b>TOTAL</b>	<b>\$4,042,871</b>	<b>\$2,627,866</b>	<b>\$2,436,226</b>	<b>\$1,010,718</b>	<b>\$1,013,557</b>	<b>\$404,287</b>	<b>\$359,111</b>

Source: MERC

Oversight researched the Hazardous Materials Emergency Preparedness (HMEP) grant on the U.S. Department of Transportation website and found "the Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005, authorizes the U.S. Department of Transportation to provide assistance to public sector employees through training and planning grants to states..." for emergency response. The HMEP grant was created by the Hazardous Materials Transportation Safety and Security Reauthorization Act. Per the U.S. Department of Transportation, the purpose of the HMEP grant "... is to increase State, Territorial, Tribal, and local effectiveness in safely and efficiently handling hazardous materials accidents and incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986, and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations". The HMEP grant provides guidance and financial support for hazardous materials planning and training.

According to the U.S. Department of Transportation there are two types of HMEP grants, the federal planning and federal training grants. The federal planning grants are used to fund planning activities which include the creation of a local emergency response plan that enhances preparedness for hazardous materials transportation-related incidents. Planning grants can be used to develop, implement or improve an emergency plan, conduct hazard assessments, assess regional emergency response teams, and to determine flow patterns of hazardous materials within a state or between states. The federal training grants are used to fund training activities that include emergency response drills and exercises, paying for hazardous materials training expenses, and training to gain proficiency and rapid deployment of local and regional responders.

**Table 2 - HMEP Grants awarded to Missouri**

<b>Fiscal Year</b>	<b>Federal Planning</b>	<b>Federal Training</b>	<b>Total Federal Award Share</b>
2013	\$141,430	\$294,423	\$435,853
2012	\$150,845	\$314,030	\$464,875
2011	\$151,018	\$314,390	\$465,408
2010	\$215,117	\$240,353	\$455,470
2009	\$149,259	\$306,211	\$455,470

Source: U.S. Department of Transportation

## Chapter 2

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### Division of Fire Safety

Missouri does not have any statutory requirements that emergency personnel (firefighters, police, first responders, volunteers and local public officials who provide safety and security to those who are the first on the scene of any accident or disaster) have emergency training. The Department of Public Safety, through its Division of Fire Safety (Division), offers courses to emergency personnel at no cost to the students. The course work and training materials are provided free of charge to ensure more students receive the training. The Division estimates there are approximately 888 fire departments served by 25,000 firefighters, and that eighty percent of those firefighters are volunteers.

The Division is responsible, per Section 320.202, RSMO, "for the voluntary training of firefighters, investigators, inspectors and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness". Its vision, per its website, is to "work with Missouri's fire service and other partners to provide a safer environment for the citizens and visitors of Missouri by minimizing the threat of death, injury and property loss." The Division's mission statement says the Division "provides proactive statutory enforcement, regulatory oversight and education to protect all lives and property from the devastation of fires, explosions and life safety perils." According to information received during an interview with Division staff and verified through information obtained from their website, the Division provides a general certification program that involves course work, practical and written skills tests for firefighters and first responders to prepare them for fire prevention and regular emergencies. Additionally, the Division provides course work and practical skills in the prevention and containment of emergencies involving Hazardous Materials.

The Division started its fire certification program in 1985. Beginning in 1986, the State began to appropriate funds for firefighter training and certification. However, those funds went exclusively to the University of Missouri Fire and Rescue Training Institute (MUFRTI) per statute. In 1996, the Division of Fire Safety became accredited by the International Fire Service Accreditation Congress (IFSAC) for its Fire Fighter I and II programs. In 2001, IFSAC accredited the Hazardous Materials Awareness and Operations courses as well as several other Division of Fire Safety programs. In 2004, Senate Bill 1196, changed Section 320.094 RSMO, to make the fire education moneys the responsibility of the Division to distribute. The Division now contracts out through a proposal for contract process to hire the vendors to provide the certification course work using CEPF funding.

**Table 3 - Number of Division of Fire Safety Students receiving free training with CEPF**

<b>FY</b>	<b>Awarded</b>	<b>Expended</b>	<b>Courses</b>	<b>Students</b>	<b>Average students per course</b>	<b>Avg \$ per course</b>	<b>Avg \$ per student</b>
2013	\$77,000	\$76,327	31	1,897	61	\$2,462	\$40
2012	\$78,436	\$78,436	26	478	19	\$3,017	\$164
2011	\$77,640	\$77,640	34	689	19	\$2,284	\$113
2010	\$77,822	\$48,185	33	1,906	58	\$1,460	\$26
2009	\$78,522	\$58,386	54	987	18	\$1,081	\$59

Source: Division of Fire Safety

### Emergency Training Guidelines

The EPCRA and the HMEP grant both require that training paid for by their funding must meet or exceed the latest National Fire Protection Association (NFPA) standards. According to the NFPA website "The mission of the international non-profit NFPA, established in 1896, is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training and education." Their worldwide membership totals more than 70,000 individuals.

Oversight researched the NFPA and found it is made up of multiple administrative and advisory committees. It has more than 200 technical code and standard development committees. "NFPA devotes much of its efforts to protecting lives and property through education" according to their website. The organization provides resources for fire, electrical and life safety instructions as well as overseeing the operation of advocacy campaigns dedicated to increasing fire safety and awareness. They claim, on their website, to be a leading resource for fire data analysis and research. The data they collect helps guide educational outreach and support the work of NFPA.

In addition to the NFPA standards, the Division of Fire Safety is accredited by the IFSAC. According to IFSAC's website, "IFSAC is a peer-driven, self governing system that accredits both public fire service certification programs and higher education fire-related degree programs." "IFSAC's mission is to plan and administer a high-quality, uniformly delivered accreditation system with an international scope" according to their website. IFSAC was founded in 1990 and in 1992, the development of the accreditation system for fire-related degree programs began. IFSAC requires that accredited programs follow the NFPA standards.

### Emergency Training Materials

The Division, during an interview with Oversight staff, stated all training materials used by the vendors must be based on the NFPA standards and distributed to all students free of charge. Oversight verified that the proposal for contracts issued by the Division, for its vendors, states that all training materials must be NFPA compliant. NFPA distributes all its training material free of charge. Oversight verified that the NFPA website has links to its training material and the material can be downloaded or printed for free. Training materials used by the vendors are required by the Division to be distributed to students free of charge.

The Division allows the vendors they contract with to provide training and to create their own training material as long as the material follows the NFPA standards. The training material must be submitted to the Fire Education/Advisory Commission for approval before it can be used in Division paid training. The Division does create some of its own materials that it distributes to local emergency personnel. The Division's material is also free to all and is not copyrighted. Some material produced by the vendors is copyrighted but it is distributed to students for free and is based on national standards that can be received directly from the NFPA.

### Emergency Training Vendor Selection Process

The Division works with local officials to ensure that those most in need of training receive it. The Division contracts out the hazardous materials training through a Proposal for Contract process that they create themselves. They do not use the Office of Administration for assistance with the contract. Each year in April, the proposal for contract is posted on the Division of Fire Safety's website and the potential vendors are required to submit a bid that includes which courses they want to teach, cost of the proposed training, instructor certifications and training materials to be used. All proposed courses must meet or exceed NFPA standards. The Division of Fire Safety's Missouri Fire Safety Education/Advisory Commission reviews those proposals and determines which classes they believe are most needed and awards the funding accordingly. The proposal for contract specifies minimum class sizes and reporting requirements that have to be met for reimbursement by the Division.

Once the classes are chosen by the Division, the vendors and Division advertise the availability of the classes by posting on their websites and by notifying local emergency personnel. Below is the amount each vendor was awarded in each fiscal year of CEPF money for Hazardous Materials training.

**Table 4- Division of Fire Safety's hazardous materials vendors and their CEPF award amount**

<b>Vendor</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
MUFRTI	\$78,522	\$77,822	\$21,320	\$39,943	\$25,047
LETS	n/b	n/b	\$31,100	n/b	n/b
Response Tech	n/b	nb	\$25,220	\$28,893	\$34,953
Three Rivers	n/b	nb	n/b	\$9,600	\$17,000
<b>TOTAL</b>	<b>\$78,522</b>	<b>\$77,822</b>	<b>\$77,640</b>	<b>\$78,436</b>	<b>\$77,000</b>

Source: Division of Fire Safety

n/b - vendor did not bid on CEPF funding

Oversight found that the University of Missouri Fire and Rescue Training Institute (MUFTRI) was created in 1933. According to it's website, it is "a premier unit of the MU Extension, provides comprehensive cognitive education and manipulative skills training for Missouri's fire and emergency service responders. Utilizing an extensive system of instructional outreach, MUFTRI assists fire departments, agencies, and organizations in meeting complex public protection challenges and training issues. This outreach initiative takes the training programs directly into local communities throughout the state and provides training and education, which are otherwise unavailable." Until 2010, they were the only vendor to apply for the CEPF hazardous materials training funds.

Oversight found that Local Emergency Training Specialists (LETS) started its training program in 2002. According to it's website "LETS started providing training for smaller fire departments that were unable to acquire training from other training agencies. LETS has evolved to provide training for all sizes of emergency agencies." The Division contracted with LETS in FY 2011, to provide Foam and Flammable, and Hazardous Materials Awareness training.

Oversight found that Response Technologies was created in 1994. According to their website, "Response Technologies specializes in the development, delivery and management of programs for public safety and emergencies service industries. Response Technologies delivers training programs nationally and internationally. Response Technologies is experienced in the development and management of specialized projects such as manufacturer training programs, drills and exercises, continuing education program, operational readiness evaluations and data management." The Division has contracted with Response Technologies to provide Hazardous Materials Risk Assessment and Air Monitoring training.

Oversight found that Three Rivers Community College located in Poplar Bluff, offers a Fire Technology and Administration program. According to it's website, the program's purpose "is designed to provide advanced training and education on the college level that develops competent technicians who are, or will become, leaders in fire protection, prevention and administration. It also provides training and education for personnel of insurance companies and other industries involved in fire prevention and protection practices." The Division has contracted with Three Rivers Community College to provide Foam and Flammable and Hazardous Materials Awareness training.

#### Funding Distribution

As mentioned, the Division receives CEPF funding to contract with vendors to provide hazardous materials training. Tables 5-9, listed on pages 9-10, show how much the vendors submitted in their proposals, how much of the CEPF money was awarded, and how much of the awarded amount was spent by the vendor in each of the last five fiscal years.

**Table 5 - CEPF funds for FY 2009**

<b>Vendor</b>	<b>Proposed</b>	<b>Awarded</b>	<b>Expended</b>
MUFRTI	\$78,522	\$78,522	\$58,386
<b>TOTAL</b>	<b>\$78,522</b>	<b>\$78,522</b>	<b>\$58,386</b>

Source: Division of Fire Safety

**Table 6 - CEPF funds for FY 2010**

<b>Vendor</b>	<b>Proposed</b>	<b>Awarded</b>	<b>Expended</b>
MUFRTI	\$77,822	\$77,822	\$48,185
<b>TOTAL</b>	<b>\$77,822</b>	<b>\$77,822</b>	<b>\$48,185</b>

Source: Division of Fire Safety

**Table 7 - CEPF funds for FY 2011**

<b>Vendor</b>	<b>Proposed</b>	<b>Awarded</b>	<b>Expended</b>
MUFRTI	\$75,000	\$21,320	\$21,320
LETS	\$31,100	\$31,100	\$31,100
Response Tech	\$25,220	\$25,220	\$25,220
<b>TOTAL</b>	<b>\$131,320</b>	<b>\$77,640</b>	<b>\$77,640</b>

Source: Division of Fire Safety

**Table 8 - CEPF funds for FY 2012**

<b>Vendor</b>	<b>Proposed</b>	<b>Awarded</b>	<b>Expended</b>
MUFRTI	\$75,000	\$39,943	\$39,943
Response Tech	\$67,472	\$28,893	\$28,893
Three Rivers	\$62,600	\$9,600	\$9,600
<b>TOTAL</b>	<b>\$205,072</b>	<b>\$78,436</b>	<b>\$78,436</b>

Source: Division of Fire Safety

**Table 9 - CEPF funds for FY 2013**

<b>Vendor</b>	<b>Proposed</b>	<b>Awarded</b>	<b>Expended</b>
MUFRTI	\$75,000	\$25,047	\$24,374
Response Tech	\$110,982	\$34,953	\$34,953
Three Rivers	\$54,300	\$17,000	\$17,000
<b>TOTAL</b>	<b>\$240,282</b>	<b>\$77,000</b>	<b>\$76,327</b>

Source: Division of Fire Safety

### Emergency Training Certification

The Division issues certifications for its course work. In order to be certified in completing the hazardous materials training, a written and often a practical skills test must be passed. The written test is often scheduled at a later date and requires a score of 70% or higher to pass. The practical skills exams are given at the end of the class, often because the equipment needed is available for use during the test. Passing of the practical skills is required before the written exam can be administered.

The Division began its certification program in 1985 with Fire Fighter I and Fire Investigator. Through the years, additional programs were added; most recently the Hazardous Materials Technician was added in June 2013. The following chart on page 11, indicates the number of certifications issued since the beginning of that certification program until October 2013.

**Table 10 - Division of Fire Safety Certifications issued 1985-2013**

<b>Certification Program</b>	<b>Certifications Issued</b>
Basic Fire Fighter	2,248
Fire Fighter I	15,117
Fire Fighter II	12,644
Fire Investigator	2,271
Fire Inspector	1,071
Fire Service Instructor I	4,264
Fire Service Instructor II	800
Fire Service Instructor III	93
Fire Service Instructor IV	33
Fire Officer I	2,273
Fire Officer II	870
Fire Department Instructor	345
Lead Evaluator	398
Assisting Evaluator	532
Hazardous Materials Awareness	18,183
Hazardous Materials Operational Level	12,910
Hazardous Materials Technician	9
Driver/Operator- Pumper	1,227
<b>TOTAL</b>	<b>75,288</b>

Source: Division of Fire Safety

## Chapter 3

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### Missouri Emergency Response Commission

According to MERC's website their mission "is to protect public health and the environment by assisting communities with chemical incident prevention, preparedness, response and recovery." Section 292.602, RSMO, requires MERC to help LEPCs provide training for its citizens to prepare for any hazardous materials disaster. In addition, it requires MERC to serve as the collection agency for the EPCRA reporting forms and to review the LEPC's emergency response plans. MERC assists the LEPCs with obtaining training by administering the HMEP grant given by the U.S. Department of Transportation.

MERC's responsibility is to help LEPCs coordinate training that reaches members of city and county governments, as well as, emergency personnel across the state. MERC works with the LEPCs to determine the training most needed by the emergency personnel in their area. The curriculums and training materials are provided free of charge to approved trainers across the state to help teach the necessary training courses. The students are provided the training for free to ensure the students receive the training they need.

**Table 11 - Number of students MERC provided free training using HMEP grant funding**

<b>FY</b>	<b>Courses</b>	<b>Students</b>	<b>Average # of students</b>	<b>Avg \$ per course</b>	<b>Avg \$ per student</b>
2013	127	1,861	15	\$2,473	\$169
2012	180	2,752	15	\$1,747	\$114
2011	345	6,194	18	\$898	\$50
2010	137	1,746	10	\$2,261	\$217
2009	23	286	12	n/a	n/a

Source: MERC

n/a data is not available from the agency

### Emergency Training Guidelines and Materials

MERC, during an interview with Oversight staff, explained they follow the training standards established by the EPCRA and HMEP grant, which requires training programs to meet or exceed the NFPA standards. MERC stated they do not create any training materials or curriculum, but purchase curriculums and training materials that it believes meet or exceed the NFPA standards and distributes them across the state. MERC purchases the curriculums and training materials following the OA guidelines for purchasing. MERC stated they have purchased materials from

MUFRTI and HazMatIQ. MERC reviews all materials and curriculum purchased to ensure compliance with NFPA standards and with any additional requirements established by the HMEP grant. MERC sometimes compiles different pieces of the purchased material to create an original course curriculum and training material.

### Emergency Training Decision Process

MERC, in an interview with Oversight staff, explained they establish a list of courses they believe meet the stipulations and guidelines of the HMEP grant. The course list is then distributed to each LEPC who rank their needs of the training from most important to least important for their citizens. MERC then utilizes these ranking lists to determine which and how many courses the funding will be able to cover. MERC considers the need of the course, number of students able to take the course, and the ability of an LEPC to host a course. MERC schedules the courses and distributes the curriculum and training material to its state-approved trainers who teach the course.

### Funding Sources for LEPC

The U.S. Department of Transportation's website shows that HMEP grant money is provided to all states to encourage the LEPCs to get the training necessary for their citizens. The U.S. Department of Transportation uses a formula that includes population size, number of emergency personnel and several other factors to determine the amount awarded to each state. The following table shows the amount Missouri and each of its neighboring states received from the HMEP grant.

**Table 12 - HMEP funding**

States	FY 2013	FY 2012	FY 2011	FY 2010	FY 2009
Arkansas	\$233,146	\$248,725	\$248,918	\$272,518	\$272,518
Illinois	\$1,078,851	\$1,150,940	\$1,152,165	\$1,033,415	\$1,033,415
Iowa	\$317,170	\$338,363	\$338,661	\$348,679	\$348,679
Kansas	\$371,904	\$396,755	\$397,120	\$391,846	\$391,846
Kentucky	\$278,211	\$296,801	\$297,049	\$311,324	\$311,324
Missouri	\$435,853	\$464,875	\$465,408	\$455,470	\$455,470
Nebraska	\$280,559	\$299,306	\$299,566	\$310,372	\$310,372
Oklahoma	\$286,088	\$305,205	\$305,461	\$321,755	\$321,755
Tennessee	\$410,626	\$438,064	\$438,470	\$425,870	\$425,870

Source: U.S. Department of Transportation

**Table 13 - HMEP Funding/Expenditures**

Federal Fiscal Year	Federal Funding Amount	**LEPC Budget (75%)	LEPC Distributions	% LEPC Distributions
2009	\$455,470	\$341,603	\$441,097	97%
2010	\$455,470	\$341,603	\$446,997	98%
2011	\$455,470	\$341,603	\$435,176	96%
2012	\$465,408	\$349,056	\$464,597	100%
2013*	\$464,875	\$348,656	\$410,210	88%
Total	\$2,296,693	\$1,722,520	\$2,198,077	96%

Source: MERC

\* 2013 is being finalized

\*\* HMEP Grant is based on a federal fiscal year and funding information provided is 80% of the grant with a requirement of 20% state match. Statement of work for this grant is to provide a minimum of 75% of the HMEP Grant funds for LEPC planning and exercise activities.

Additional funding sources for LEPCs include the TIER II money collected from companies that must comply with the EPCRA. In Missouri, the TIER II money is collected and placed in the CEPF fund according to Section 292.606, RSMO. Each state has its own equivalent fund. Money in those funds is used exclusively for hazardous materials training. The table below indicates how much CEPF money was distributed to the LEPC in the last five fiscal years.

**Table 14- CEPF distribution to LEPC by MERC**

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
LEPC	\$515,595	\$522,294	\$421,883	\$537,789	\$438,664

Source: MERC

### Emergency Training Certification

MERC issues Continuing Education Units (CEU) for each hour of its classes. In order to receive a CEU for a class, a written and often a practical skills test must be passed. MERC follows the same rules as the Division of Fire Safety which require a written test score of 70% or higher and passage of a practical skills test. The practical skills exams are given at the end of the class, often because of the equipment needed. Passing of the practical skills is often required before the written exam can be administered. The written tests are scheduled at a later date.

**Table 15- MERC issued the following hours of continuing education credits**

<b>Course</b>	<b>FY 2009 CEU</b>	<b>FY 2010 CEU</b>	<b>FY 2011 CEU</b>	<b>FY 2012 CEU</b>	<b>FY 2013 CEU</b>
Hazardous Materials Awareness	504	3,712	5,600	4,296	4,552
Hazardous Materials Operations	5,352	9,696	9,648	23,184	9,096
Hazardous Materials Technician		3,320	6,520		1,672
Handling LP Gas Emergencies		2,280	1,440	1,992	1,704
Ignitable Liquids & Class B Foams		1,092	1,884	1,248	516
Ignitable Liquids & Ethanol Blended Fuels		176		320	2,128
Railroad Emergency Response Hazmat Awareness		152	584	336	152
HAZWOPER Refresher		104			272
First on Drug Lab Scene Awareness		1,204			
First on Drug Lab Scene Operations		480			
Foam Response Training		384	184		
Clandestine Drug Lab Response		304			
Emergency Response to Chemical Process Industries		104	224		
HMIRT Refresher: Decontamination			672		
HMIRT Refresher: Detection & Monitoring			504		
HMIRT Refresher: Work Practices			408		

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<b>Course (continued)</b>	<b>FY 2009 CEU</b>	<b>FY 2010 CEU</b>	<b>FY 2011 CEU</b>	<b>FY 2012 CEU</b>	<b>FY 2013 CEU</b>
Illicit Drug Labs: A Safe Response for Public Services			1,448		
Chemical Suicide: Information for the Responder			11,949	2,049	672
Intro to CAMEO			80		
Railroad Emergency Response Hazmat Technician			128		
Public & Private Sector Dispatch			112		
CAMEO Train the Trainer			440		
Hazardous Materials Awareness & Operations Train the Trainer				152	
Hazardous Materials Technician Train the Trainer				840	
TRANSCAER				328	
Hazmat IQ				320	2,120
Hazardous Materials Victim Decontamination					616
<b>TOTALS</b>	<b>5,856</b>	<b>23,008</b>	<b>41,825</b>	<b>35,065</b>	<b>23,500</b>

Source: MERC

## **Chapter 4**

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At the time this evaluation was proposed, Oversight was asked to look at the following six questions regarding the distribution of hazardous materials funding and the training materials used in the courses.

**1) What other sources of funding can Local Emergency Planning Committees utilize to offer training to its members?**

LEPC are provided two funding sources each year. They receive money from the CEPF fund and the HMEP grant. Some LEPCs may also receive use of office space and supplies from their local government partners. However, local cities and counties do not provide money for training.

**2) How do other state's provide emergency preparedness training to local responders?  
How is the training funded?**

Oversight looked at Missouri's neighboring states to see what training is done, what material is used and the funding sources of the training. The review included Kansas, Nebraska, Iowa, Illinois, Kentucky, Tennessee, Arkansas, and Oklahoma. Due to the Federal EPCRA and HMEP grant, each state's system of providing emergency training is the same. The EPCRA and HMEP grant are given to each of these states and since they require compliance with NFPA standards, the training is the same in each state. Each state has a system for establishing LEPCs and the funding for those LEPCs is the HMEP grant and TIER II money (which in Missouri is the CEPF fund).

**3) What is the approval process for training materials?**

The EPCRA and HMEP grant require all training materials to meet or exceed NFPA standards. Both the Division of Fire Safety and MERC review all training materials and curriculum annually to ensure compliance with NFPA standards. Additionally, all test questions are reviewed to ensure each question cites to the specific NFPA standard.

**4) Do the vendors use copyright materials? Are they allowed to copyright their curriculum and training materials?**

Neither the Division of Fire Safety nor MERC have a prohibition against the copyrighting of the training materials used in their courses. However, each vendor who provides training is required to give their materials free of charge to all students taking the course. Additionally, all training materials must be approved by the Division of Fire Safety and MERC before a vendor can use them.

**5) What are the differences between copyright training materials and those provided by other organizations?**

Due to the time constraints of this project, Oversight did not have time to review each organization's training material to see how they differ. Since all training materials are required to meet NFPA standards in order to be approved for use with CEPF or HMEP grant funding and NFPA material is provided free of charge and is easily downloaded, there should be no difference in the training material. Training material and tests have to cite which NFPA standard they relate to in order to be approved. Therefore, all training material should be essentially the same.

**6) How is the funding distributed among the vendors?**

Both the Division and MERC review the needs of the local emergency personnel and determine which classes are needed the most. The funding is then distributed to ensure the most students can get the classes they need each year. Both the Division and MERC have established guidelines to determine how the funding is allocated. Additionally, they work together to avoid duplication of effort.

## **Glossary of Acronyms**

CEPF = Chemical Emergency Preparedness Fund

EPCRA = Emergency Planning and Community Right-To-Know Act

HMEP = Hazardous Materials Emergency Preparedness Grant

IFSAC = International Fire Service Accreditation Congress

LEPC = Local Emergency Planning Committee

LETS = Local Emergency Training Specialists

MERC = Missouri Emergency Response Commission

MUFRTI = University of Missouri Fire and Rescue Training Institute

NFPA = National Fire Protection Association